

Notice of Allowability

Application No.

09/871,094

Examiner

Kuen S. Lu

Applicant(s)

SATO ET AL

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 25, 2005.
2. ☒ The allowed claim(s) is/are 16,20,21 and 25-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. After a thorough search and examination of the present application, and in light of the prior art made of record and the Applicant's response of August 25, 2005, Claims 16, 20-21 and 25-27 are allowed.

Reason for Allowable

2. In the Examiner's Office Action for Final Rejection of June 8, 2005, 35 U.S.C. 35 U.S.C. § 103, rejections was based on the primary reference, Japan Patent JP-11149434, "ALARM SOUND DESIGNATOR IN ELECTRONIC MAIL", English Abstract and Japanese Patent Drawing (hereafter "CASK") and the secondary references, Maquaire et al. (U.S. Patent Application Publication 2002/0107049, "AUDIBLE CALLER IDENTIFICATION FOR MOBILE COMMUNICATION DEVICE", Filed on February 8, 2001, hereafter "Maquaire") and Cooper et al. (U.S. Patent 6,052,442, "INTERNET ANSWERING MACHINE", Issued on April 18, 2000, hereafter "Cooper").

In order to overcome the teachings provided by the above references, the Applicant has further amended the claims in the Amendments filed on August 25, 2005. Based on a thorough search and examination of the most currently amended claims, the prior art made of record does not teach the following combined subject matter in the elements of independent claims 16 and 21:

receiving email **sender** and message **text**;

retrieving preset **strings** and **music files**, if the **sender** corresponds a registered mail **account**; and

retrieving a corresponding **music file** to play (reproduce) and its author/title to display, if the **strings** are included in the **text**.

After a further review of the above subject matter, **specifically, music file** is retrieved to play **only after an email sender is matched with a registered account and email text containing character substrings which are matched with music file's corresponding and preset strings**, and an update search conducted as described below, the claims 16, 20-21 and 25-27, as lastly amended on August 25, 2005, is hereby considered and accepted.

A search for the prior arts on EAST database has been recently conducted to further extend and update the scope the searches conducted during the past one and half years on domains (EAST, NPL-ACM, Google, NPL-IEEE, Oracle, Sun Micro, etc.). The prior arts searched and investigated in domains (EAST, NPL-ACM, Google, NPL-IEEE, Oracle, Sun Micro, etc) do not fairly teach or suggest the teaching of the combined elements as claimed in the independent claims 16 and 21.

The dependent Claims 20 and 25-27, depending claims 16 and 21, respectively, also distinct from the prior art for the same reason.

3. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Contact Information


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:30 am-5:30 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean R. Homere, Esq. can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu, 

Patent Examiner,

November 6, 2005


GREYA ROBINSON
PRIMARY EXAMINER